



42-08/PJG/PLS
FREEHILL HOGAN & MAHAR, LLP
Attorneys for Plaintiff
80 Pine Street
New York, NY 10005
(212) 425-1900
(212) 425-1901 fax
Peter J. Gutowski (PG 2200)
Pamela L. Schultz (PS 8675)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
EMPROS LINES SHIPPING CO. SP. S.A.,

08 CV 1319 (LBS)

Plaintiff,

**STIPULATION AND ORDER OF
VOLUNTARY DISMISSAL AND
RELEASE OF ATTACHED FUNDS**

-against-

TRICOAL (PTY) LTD.,

Defendant.
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The Defendant not having appeared, answered or filed a motion for summary judgment, the above entitled action is hereby discontinued pursuant to F.R.C.P. 41(a)(1)(A)(i) with prejudice and without costs, and the Attachment issued in this action pursuant to Supplemental Rule B is hereby vacated and cancelled. Any garnishee holding funds pursuant to the Order of Attachment issued in this action is hereby directed to immediately release the funds from restraint.

Dated: New York, New York
June 10, 2008

FREEHILL HOGAN & MAHAR, LLP
Attorneys for Plaintiff
EMPROS LINES SHIPPING CO. SP. S.A.,

By: 

Peter J. Gutowski (PG 2200)
Pamela L. Schultz (PS 8675)
80 Pine Street
New York, NY 10005

Telephone: (212) 425-1900
Facsimile: (212) 425-1901

So Ordered:

S. J. Ordman M
U.S.D.J.
6/11/08